MONTANA LEGISLATIVE HISTORY

Chapter 169 1985

Bill H _____ S 296 Original bill & history ____C

H. Committee on State Admin.		S. Committee on State Admin.	
Hearing Date(s) ~~Feb 14~~	~~C~~	Hearing Date(s) Feb 14	✓ C
Mar 14	✓ C	_____	____C
_____	____C	_____	____C
Mar 14	✓ C	_____	____C
Date Out ~~Feb 14~~	✓ C	Feb 14	✓

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

OCCUPATIONAL OR PROFESSIONAL LICENSES
BY REQUEST OF DEPARTMENT OF COMMERCE

1/29	INTRODUCED		
1/29	REFERRED TO STATE ADMINISTRATION		
2/13	HEARING		
2/18	COMMITTEE REPORT-BILL PASS AS AMENDED		
2/20	2ND READING PASS	49	0
2/22	3RD READING PASS	46	3
	TRANSMITTED TO HOUSE		
2/27	REFERRED TO BUSINESS & LABOR		
3/18	HEARING		
3/18	COMMITTEE REPORT-BILL CONCURRED		
3/20	2ND READING CONCURRED	71	6
3/22	3RD READING CONCURRED	84	13
	RETURNED TO SENATE		
3/27	SIGNED BY PRESIDENT		
3/28	SIGNED BY SPEAKER		
3/28	TRANSMITTED TO GOVERNOR		
4/01	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 273 EFFECTIVE DATE: 10/01/85		

SB 275 INTRODUCED BY ECK, LORY, J. BROWN
GENERALLY REVISING LAWS RELATING TO REGULATION OF PRACTICE OF ARCHITECTURE
BY REQUEST OF BOARD OF ARCHITECTS

1/29	INTRODUCED		
1/29	REFERRED TO STATE ADMINISTRATION		
1/30	FISCAL NOTE REQUESTED		
2/05	FISCAL NOTE RECEIVED		
2/14	HEARING		
2/18	COMMITTEE REPORT-BILL PASS AS AMENDED		
2/20	2ND READING PASS AS AMENDED	26	18
2/22	3RD READING PASS	34	15
	TRANSMITTED TO HOUSE		
2/27	REFERRED TO BUSINESS & LABOR		
3/14	HEARING		
	DIED IN COMMITTEE		

SB 276 INTRODUCED BY HARDING
ELIMINATE 60-DAY DEADLINE FOR ISSUING AUDIT REPORTS OF LOCAL GOVERNMENTS
BY REQUEST OF DEPARTMENT OF COMMERCE

1/29	INTRODUCED		
1/30	REFERRED TO STATE ADMINISTRATION		
2/14	HEARING		
2/15	COMMITTEE REPORT-BILL DO PASS		
2/18	2ND READING PASS	50	0
2/20	3RD READING PASS	48	1
	TRANSMITTED TO HOUSE		
2/27	REFERRED TO STATE ADMINISTRATION		
3/14	HEARING		
3/14	COMMITTEE REPORT-BILL CONCURRED		

SENATE FINAL STATUS

3/16	2ND READING CONCURRED	91	1
3/19	3RD READING CONCURRED	97	2
	RETURNED TO SENATE		
3/21	SIGNED BY PRESIDENT		
3/22	SIGNED BY SPEAKER		
3/22	TRANSMITTED TO GOVERNOR		
3/25	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 169 EFFECTIVE DATE: 10/01/85		

SB 277 INTRODUCED BY BLAYLOCK, CRIPPEN, ET AL.
LEGACY PROGRAM
BY REQUEST OF DEPT. OF NATURAL RESOURCES

1/29	INTRODUCED		
1/30	REFERRED TO NATURAL RESOURCES		
1/31	FISCAL NOTE REQUESTED		
2/09	FISCAL NOTE RECEIVED		
2/11	HEARING		
2/23	COMMITTEE REPORT-BILL PASS AS AMENDED		
2/23	STATEMENT OF INTENT ATTACHED		
2/25	2ND READING PASS AS AMENDED	26	22
2/27	3RD READING PASS	29	21
	TRANSMITTED TO HOUSE		
3/06	REFERRED TO NATURAL RESOURCES		
3/25	HEARING		
	DIED IN COMMITTEE		

SB 278 INTRODUCED BY BOYLAN
CITY POLICE TO DISPOSE OF ABANDONED VEHICLES SEIZED FROM CITY STREETS

1/29	INTRODUCED		
1/30	REFERRED TO LOCAL GOVERNMENT		
2/14	HEARING		
2/15	COMMITTEE REPORT-BILL DO PASS		
2/18	2ND READING PASS	50	0
2/20	3RD READING PASS	49	0
	TRANSMITTED TO HOUSE		
2/27	REFERRED TO LOCAL GOVERNMENT		
3/21	HEARING		
3/22	COMMITTEE REPORT-BILL CONCURRED		
3/23	2ND READING CONCURRED	86	4
3/26	3RD READING CONCURRED	93	6
	RETURNED TO SENATE		
3/30	SIGNED BY PRESIDENT		
3/30	SIGNED BY SPEAKER		
4/01	TRANSMITTED TO GOVERNOR		
4/04	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 355 EFFECTIVE DATE: 10/01/85		

SB 279 INTRODUCED BY BENGTSON, PATTERSON
SERVICE CONSOLIDATION OR TRANSFER - SEPARATE CITY AND COUNTY VOTE APPROVAL

He feels that if you fail to pass the test enough times, you should have to take the whole test over.

Marty Crennan, Architect, supports this bill, for all the reasons above, and he felt that the seal was very important.

OPPONENTS: There were no opponents.

COMMITTEE QUESTIONS: Senator Farrell asked if public buildings referred to all kinds of buildings, steel, prefab, etc. Mr. Ballas said that they did. Senator Mohar wanted to know what would happen in a place like Libby where there are no Architects. Would they not be allowed to have any public buildings. Mr. Kembel said the laws on the books relate to public funded buildings only. Senator Mohar said that if he built a restaurant, that would be a public building and he would still have to go through a design professional. Mr. Kembel said that's what he understands. Mr. Brazier said that's right. This is a problem of enforcement. Senator Hirsch asked what the bill meant by prerequisite and Mr. Ballas explained that that was five years of school with a B.A. and a three year apprentice program. Senator Hirsch said that on page 8 line 5 and one other place, they were circumventing the Administrative Procedures Act. Mr. Brazier said that was not their intention. There was more discussion regarding the changes, then Senator Haffey asked if it was a make-work bill for Architects. He was assured that it was not. Mr. Kembel said the bill was for the public safety. Senator Haffey then asked if this bill needed a statement of intent. Senator Eck said that she was given one, but she didn't think it needed it. She passed out the statement of intent to the Committee. (Statement of Intent is attached hereto marked Exhibit "5" and by this reference made a part hereof.)

Senator Eck closed by saying that this bill was long overdue and she felt it was a necessary piece of legislation. SENATE BILL 275 is closed. Senator Eck also told the Committee that she had a conflict of interest as her husband is an Architectural teacher.

EXECUTIVE ACTION ON SENATE BILL 275: Executive action on Senate Bill 275 will be deferred until after adjournment on Friday, February 15, 1985.

CONSIDERATION OF SENATE BILL 276: Senator Ethel Harding, Senate District 25, Polson, is the sponsor of this bill entitled, "AN ACT INCREASING THE TIME IN WHICH AUDIT REPORTS OF POLITICAL SUBDIVISIONS BY THE DEPARTMENT OF COMMERCE MUST BE ISSUED FROM 60 DAYS TO 120 DAYS OF COMPLETION OF FIELD WORK: AMENDING SECTION...,MCA" Senator Harding said the only thing changed

is the requirement that the audit be done in 60 days. This was changed to 120 days. Senator Harding said that having been an auditor she knows how impossible it is to get all the work done in 60 days. She asked that the Committee allow them to have 60 more days.

PROPONENTS: Don Dooley, Department of Commerce, support this bill for all the reasons that Senator Harding listed. Mr. Dooley felt that 60 days was unrealistic.

OPPONENTS: There were no opponents.

COMMITTEE QUESTIONS: There were no committee questions.

EXECUTIVE ACTION ON SENATE BILL 276: Senator Manning made a motion that SENATE BILL 276 do pass. Question was called and the Committee voted unanimously that SENATE BILL 276 DO PASS.

EXECUTIVE ACTION ON SENATE BILL 263: Valencia Lane, staff Attorney said that this allows that a license cannot be renewed if it has elapsed for more than three years. Valencia had made some amendments to the bill and she explained them to the Committee. (For amendments see Standing Committee Report attached.) Senator Manning moved that the amendments do pass. Question was called and the amendments passed unanimously. Senator Manning made a motion that SENATE BILL 263 DO PASS AS AMENDED. Question was called and the Committee voted unanimously that SENATE BILL 263 DO PASS AS AMENDED.

EXECUTIVE ACTION ON SENATE BILL 274: Valencia Lane, staff Attorney, said that there were still some amendments to be worked out on this bill. Action was deferred until Friday, February 15, 1985, on adjournment.

EXECUTIVE ACTION ON SENATE BILL 207: Valencia Lane, staff Attorney, said that Senator Mazurek had given her some amendments from Mr. Schneider. Senator Manning said that he had received a lot of letters from the Great Falls area and everyone feels it is a bad bill. Senator Mohar moved that SENATE BILL 207 do not pass. Question was called and the Committee voted unanimously that SENATE BILL 207 DO NOT PASS.

EXECUTIVE ACTION ON SENATE BILLS 222, 274, 275, and 210 will be deferred until Friday, February 15, 1985, on adjournment.

The meeting was adjourned at 12:10.

Jack Haffey

SENATOR JACK HAFFEY, CHAIRMAN

ROLL CALL

STATE ADMINISTRATION COMMITTEE

49th LEGISLATIVE SESSION -- 1985 Date

NAME	PRESENT	ABSENT	EX
SEANTOR JACK HAFFEY, Chairman	✓		
SENATOR LES HIRSCH, Vice-Chairman	Late	—	
SENATOR JOHN ANDERSON	✓		
SENATOR MAX CONOVER	✓		
SENATOR WILLIAM FARRELL	✓		
SENATOR ETHEL HARDING	✓		
SENATOR J. D. LYNCH	Late	—	
SENATOR DICK MANNING	Late		
SENATOR JOHN MOHAR	✓		
SENATOR LARRY TVEIT	Late		

STANDING COMMITTEE REPORT

February 14 19 85

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration SENATE BILL No. 276

first reading copy (white color)

ELIMINATE 60-DAY DEADLINE FOR ISSUING AUDIT REPORTS OF LOCAL GOVERNMENTS

Respectfully report as follows: That SENATE BILL No. 276

DO PASS

XXXXXXXXXX

Chairman.

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTANA STATE
HOUSE OF REPRESENTATIVES

March 14, 1985

The meeting of the State Administration Committee was called to order by Chairman Sales at 9:00 a.m. on the above date in Room 317 of the State Capitol.

ROLL CALL: Seventeen members present with Rep. Garcia excuse

CONSIDERATION OF SENATE BILL NO. 171: Sen. Ethel Harding, Senate District #25, said that the bill would enable the director of the department of commerce to appoint legal counsel at the request of a party for contested cases at hearing. It would relieve the board of paying for outside lawyers. The department feels this bill has the potential to save money and to speed up the administrative process.

PROPONENTS: Shirley Miller, Professional and Occupational Licensing Bureau of the Department of Commerce, read her prepared testimony, Exhibit #1, in support of the bill.

OPPONENTS: There were no opponents.

DISCUSSION OF SENATE BILL NO. 171: Rep. Jenkins asked if the party could, after an informal hearing, request the services of an attorney. Ms. Miller said that was correct.

Without further comment, Sen. Harding closed.

CONSIDERATION OF SENATE BILL NO. 276: Sen. Ethel Harding, Senate District #25, sponsor, said that the bill was at the request of the department of commerce. The present law is for the audit reports of political subdivisions to be issued within 60 days. This bill is changing that 60 days to 120 days as it is impossible to get those audits out in time.

PROPONENTS: Don Dooley, Department of Commerce, said the change was recommended by the Legislative Auditor as they recognized that it was unrealistic to get the audits out in 60 days. He said it has become even more unrealistic and said that 120 days is more in keeping with the actual time required.

OPPONENTS: There were no opponents.

There being no questions from the Committee, Sen. Harding closed her presentation.

CONSIDERATION OF SENATE BILL NO. 176: Sen. Allen Kolstad, Senate District #7, sponsor of the bill, said this bill establishes one legal holiday to observe Washington's and Lincoln's birthdays which would be called Presidents' Day. This was introduced at the request of a number of county

Chairman Sales asked why the employer contribution is greater than the employee. Sen. Fuller said that every retirement system they are aware of the employer pays more than the employee. Mr. Natscheim said the employer contribution in the PERS is the lowest contribution in the State and that State law prohibits present employees from paying contributions for benefits they will not receive.

In closing, Sen. Fuller said that it is not mandatory, it is strictly optional. He also told the Committee members that nobody can say what it is going to cost. It may provide an opportunity for an agency to get a retired employee.

Chairman Sales thanked Sen. Fuller and Mr. Schneider for keeping the testimony short and limiting the number of people who wished to testify.

The Committee then went into executive session on the preceding bills.

DISPOSITION OF SENATE BILL NO. 171: Rep. Peterson moved that SB 171 BE CONCURRED IN, seconded by Rep. Moore. The motion CARRIED UNANIMOUSLY. Rep. Holliday will carry the bill.

DISPOSITION OF SENATE BILL NO. 276: Rep. Jenkins moved that SB 276 BE CONCURRED IN, seconded by Rep. Moore. The motion CARRIED UNANIMOUSLY. Rep. Holliday will carry this bill also.

DISPOSITION OF SENATE BILL NO. 176: Rep. Fritz moved that SB 176 BE NOT CONCURRED IN, seconded by Rep. Moore.

Rep. Fritz stated that not one of the people that testified referred to the reason for the holidays in the first place and this reduces the commemoration of the holidays.

Rep. Jenkins made the SUBSTITUTE MOTION DO PASS, seconded by Chairman Sales, however, he did agree with Rep. Fritz that they have lost the reasoning for the holidays. Rep. Harbin said that from a purely technical standpoint the fiscal note says that the savings may not be realized, so why do it? Rep. Cody said she felt it was a "terrible" bill.

Rep. Peterson said they are not arguing Washington's or Lincoln's birthdays but whether this should be in negotiations for paid holidays. She said she would be willing to give the Friday after Thanksgiving rather than Washington's or Lincoln's birthday.

Chairman Sales remarked that less than one-half of the employees affected by this bill are under contract. Rep. Smith said if public offices are going to be closed they should be the same as the federal offices.

(Type in committee members' names and have 50 printed to start).

DAILY ROLL CALL

State Administration COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 3/11/85

NAME	PRESENT	ABSENT	EXCUSED
Chairman Walter Sales	✓		
V-Chairman Helen O'Connell	✓		
Campbell, Bud	✓		
Compton, Duane	✓		
Cody, Dorothy	✓		
Fritz, Harry	✓		
Garcia, Rodney			—
Hayne, Harriet	✓		
Harbin, Raymond	✓		
Holliday, Gay	✓		
Jenkins, Loren	✓		
Kennerly, Roland	✓		
Moore, Janet	✓		
Nelson, Richard	✓		
Peterson, Mary Lou	✓		
Phillips, John	✓		
Pistoria, Paul	✓		
Smith, Clyde	—		

STANDING COMMITTEE REPORT

March 14 19 85

MR. SPEAKER

We, your committee on State Administration

having had under consideration Senate Bill No. 276

Third reading copy (Blue color)

ELIMINATE 60 DAY DEADLINE FOR ISSUING AUDIT REPORTS OF LOCAL GOVERNMENTS

Respectfully report as follows: That Senate Bill No. 276

BE CONCURRED IN

DO PASS

Walter R. Sales, Chairman.

STATE PUB. CO.
Helena, Mont.